

UNITED STATES DISTRICT COURT

District of

DELAWARE

LT. CMDR. KENNETH J. WHITWELL,
PLAINTIFF

SUMMONS IN A CIVIL CASE

V.

ARCHMERE ACADEMY, INC.,
CATHOLIC DIOCESE OF WILMINGTON,
INC., REV. EDWARD SMITH and
REV. MICHAEL A. SALTARELLI
DEFENDANTS

CASE NUMBER: 05 - 796

TO: (Name and address of

REV. EDWARD SMITH
Immaculate Conception Priory
1269 Bayview Road
Middletown, DE 19709

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Thomas S. Neuberger, Esquire
The Neuberger Firm, P.A.
Two East Seventh Street, Suite 302
Wilmington, Delaware 19801

Phone: 302-655-0582
Fax: 302-655-9329

an answer to the complaint which is served on you with 20 days after
of this summons on you, exclusive of the day of service. If you fail to do so,
judgment by default will be taken against you for the relief demanded in the
complaint. Any answer that you serve on the parties to this action must be filed
with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

NOV 17 2005

CLERK

DATE

Attelle Watson

(By) DEPUTY CLERK
AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 1/3/06 @ 10:43 a.m.
NAME OF SERVER (PRINT) ROBERT DELACY	TITLE SPS

Check one box below to indicate appropriate method of service

 Served personally upon the defendant. _____ Left copies thereof at the defendant's dwelling house or usual place of abode with a discretion then residing therein.

Name of person with whom the summons and _____

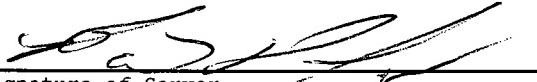
 Returned _____ Other SERVED REV. BAGNATO, AUTHORIZED TO ACCEPT SERVICE (White male, 50, 5'8", 185 lbs, glasses) _____**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America contained in the Return of Service and Statement of Service Fees is true and correct.

Executed 1/3/06
Date


Signature of Server
D. M. PROFESSIONAL SERVICES
5 Orchard Lane
Wilmington, DE 19809
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.